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PROTECTION OF GLOBAL CLIMATE FOR PRESENT AND FUTURE GENERATIONS OF MANKIND

Report of the Second Committee

Rapporteur: Mr. Walter BALZAN (Malta)

I. INTRODUCTION

1. At its 3rd plenary meeting, on 18 September 1992, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its forty-seventh session the item entitled "Protection of global climate for present and future generations of mankind" and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 27th, 30th, 43rd and 51st meetings, on 4, 6 and 19 November and 16 December 1992. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.2/47/SR.27, 30, 43 and 51___). Attention is also drawn to the general debate held by the Committee at its 3rd to 9th meetings, from 5 to 8 October (see A/C.2/47/SR.3-9).

3. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on the United Nations Framework Convention on Climate Change: implementation of resolution 46/169 and possible requirements for future work (A/47/466);

(b) Letter dated 30 January 1992 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Secretary-General, transmitting the Colombo Declaration issued at the Sixth Meeting of the Heads of State or Government of the member countries of the South Asian Association for Regional Cooperation, held at Colombo on 21 December 1991 (A/47/82-S/23512);

(c) Letter dated 6 March 1992 from the Permanent Representative of Jamaica to the United Nations addressed to the Secretary-General, transmitting the Communiqué of the Third Inter-sessional Meeting of the Conference of Heads of Government of the Caribbean Community, held at Kingston on 19 February 1992 (A/47/120);

(d) Letter dated 22 May 1992 from the representatives of Indonesia and Yugoslavia to the United Nations addressed to the Secretary-General, transmitting the press communiqué issued at the conclusion of the Ministerial Meeting of the Coordinating Bureau of the Movement of Non-Aligned Countries, held at Bali, Indonesia, from 14 to 16 May 1992 (A/47/225-S/23998);

(e) Letter dated 2 July 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the Secretary-General, transmitting the position paper on the new world order prepared by the Summit Level Group for South-South Consultation and Cooperation (A/47/312-S/24238);

(f) Letter dated 28 July 1992 from the Permanent Representative of Singapore to the United Nations addressed to the Secretary-General, transmitting the Joint Communiqué of the Twenty-fifth Ministerial Meeting of the Association of South-East Asian Nations, issued at Manila on 22 July 1992 (A/47/351-S/24357);

(g) Letter dated 17 August 1992 from the Chargé d'affaires a.i. of the Permanent Mission of Solomon Islands to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué of the Twenty-third South Pacific Forum, held at Honiara on 8 and 9 July 1992 (A/47/391);

(h) Note verbale dated 11 September 1992 from the Permanent Mission of Mexico to the United Nations addressed to the Secretary-General, transmitting the Final Statement adopted by the InterAction Council at its tenth session, held at Querétaro, Mexico, from 28 to 31 May 1992 (A/47/437);

(i) Letter dated 25 August 1992 from the Permanent Representative of China to the United Nations addressed to the Secretary-General (A/47/564).

4. At the 27th meeting, on 4 November, an introductory statement was made by the Executive Secretary of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change (see A/C.2/47/SR.27).

II. CONSIDERATION OF DRAFT RESOLUTIONS A/C.2/47/L.38/Rev.1 AND L.58

5. At the 43rd meeting, on 19 November, the representative of Pakistan, on behalf of the States Members of the United Nations that are members of the Group of 77, introduced a draft resolution entitled "Protection of global climate for present and future generations of mankind" (A/C.2/47/L.38/Rev.1), which read as follows:

"The General Assembly,

"Recalling its resolutions 43/53 of 6 December 1988 and 44/207 of 22 December 1989, in which it recognized climate change as a common concern of mankind,

"Recalling also its resolutions 45/212 of 21 December 1990, by which it established an Intergovernmental Negotiating Committee to prepare an effective framework convention on climate change, and any related legal instruments as might be agreed upon, for signature during the United Nations Conference on Environment and Development, and 46/169 of 19 December 1991, by which it provided for the continuation of work on climate change until the end of 1992,

"Taking note with appreciation of the reports of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on its work thus far in 1992 1/ and the report prepared by the Chairman of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change, on behalf of the Committee, for submission to the United Nations Conference on Environment and Development, 2/

"Noting resolution 15 (EC-XLIV), adopted by the Executive Council of the World Meteorological Organization at its forty-fourth session,

"Noting that, in accordance with paragraph 4 of its resolution 46/169 and pursuant to resolution INC/1992/1 adopted by the Intergovernmental Negotiating Committee on 9 May 1992, arrangements are being made for the sixth session of the Intergovernmental Negotiating Committee to be held as soon as practicable, preferably before the end of 1992,

"Noting also that the sixth session of the Intergovernmental Negotiating Committee will be held at Geneva from 7 to 10 December 1992,

"Noting further that article 21 of the United Nations Framework Convention on Climate Change provides for the secretariat established by the General Assembly in resolution 45/212 to be the interim secretariat of the Convention until the completion of the first session of the Conference of the Parties to the Convention,

"Noting with appreciation the support provided for the operation of the secretariat during 1992 by the United Nations Conference on Trade and Development, the United Nations Development Programme, the United Nations

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1/ A/AC.237/18 (Part I) and A/AC.237/18 (Part II) and Add.1.

2/ A/CONF.151/8.

Environment Programme and the World Meteorological Organization, as well as by bilateral contributors,

"Having considered the report of the Secretary-General, 3/ with particular reference to the possible requirements for intergovernmental and secretariat work on the implementation of the Convention in the period up to and including the first session of the Conference of the Parties to the Convention,

"1. Welcomes the adoption, on 9 May 1992, of the United Nations Framework Convention on Climate Change by the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change and its signing by a large number of States;

"2. Considers the Convention one of the achievements of the international community working through the United Nations and a first step in a cooperative response to the common concern for the adverse effects of climate change;

"3. Calls upon States that have not done so to sign the Convention and to ratify, accept, approve or accede to it, so that it may enter into force;

"4. Invites signatories of the Convention to communicate to the head of the interim secretariat of the Convention, as soon as feasible, information regarding measures consistent with the provisions of the Convention, pending its entry into force;

"5. Urges States to support and contribute to the activities at the national, regional and international levels related to the basic scientific and technical needs specified in the Convention, including those activities carried out under the World Climate Programme and the Global Climate Observing System;

"6. Decides that the Intergovernmental Negotiating Committee shall continue to function in order to prepare for the first session of the Conference of the Parties to the Convention, as specified in the Convention, and, in that context, to contribute to the effective operation of the interim arrangements set out in article 21 of the Convention;

"7. Invites the Committee, in this regard, to draw up an adequate plan of preparatory work at its sixth session and to implement it expeditiously thereafter, and requests the Secretary-General to make arrangements for the Committee to hold sessions as needed, if possible avoiding scheduling conflicts with the General Assembly;

3/ A/47/466.

"8. Requests the Intergovernmental Negotiating Committee to promote a coherent and coordinated programme of activities by competent bodies aimed at supporting the entry into force and effective implementation of the Convention and strengthening the capacities of developing and other countries to prepare for their participation in the Convention;

"9. Calls upon the organs, organizations and bodies of the United Nations system involved in work relating to climate change, including the interim secretariat of the Convention, to initiate and strengthen such activities, where possible in collaboration with each other, and invites them to make information on these activities and on any coordination arrangements regularly available to the Intergovernmental Negotiating Committee, through its secretariat;

"10. Invites the Intergovernmental Negotiating Committee to convey information on its work to the General Assembly, as well as to the Economic and Social Council and the Commission on Sustainable Development, as appropriate, in particular in the context of chapter 9 of Agenda 21;

"11. Requests the Secretary-General, to strengthen the secretariat established by the General Assembly in resolution 45/212 so that it may function as the interim secretariat of the Convention until the completion of the first session of the Conference of the Parties and, in that capacity, provide adequate substantive support to the evolving work of the Intergovernmental Negotiating Committee, and further requests him to make provisions for this purpose within the current and forthcoming programme budgets and up to the first session of the Conference of the Parties to the Convention;

"12. Requests United Nations programmes and agencies, particularly the United Nations Environment Programme and the World Meteorological Organization, to contribute staff to assist the head of the interim secretariat;

"13. Requests bilateral sources to continue to assist the interim secretariat as hitherto;

"14. Requests the head of the interim secretariat to maximize opportunities for collaborative work with other secretariat entities, including the secretariat of the Commission on Sustainable Development;

"15. Requests the Secretary-General to maintain the special voluntary fund established under paragraph 10 of General Assembly resolution 45/212 to support the participation of developing countries, in particular the least developed among them, as well as small island developing countries, in the work of the Intergovernmental Negotiating Committee and in the first session of the Conference of the parties to the Convention;

"16. Also requests the Secretary-General to maintain the trust fund established under paragraph 20 of General Assembly resolution 45/212 to contribute to the costs of the interim secretariat of the Convention;

"17. Takes note with appreciation of the contributions made to these extrabudgetary funds and appeals to present and new contributors to make adequate and timely contributions to both funds;

"18. Invites the Chairman of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change to submit a final report to the General Assembly on behalf of the Committee, on the completion of the Committee's work, following the conclusion of the first session of the Conference of the Parties to the Convention;

"19. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution;

"20. Decides to include in the provisional agenda of its forty-ninth session an item entitled 'Protection of global climate for present and future generations'."

6. At the 51st meeting, on 16 December, the Vice-Chairman of the Committee, Mr. José Lino Guerrero (Philippines), introduced a draft resolution entitled "Protection of global climate for present and future generations of mankind" (A/C.2/47/L.58), which he submitted on the basis of informal consultations held on draft resolution A/C.2/47/L.38/Rev.1, and which read as follows:

"The General Assembly,

"Recalling its resolutions 43/53 of 6 December 1988 and 44/207 of 22 December 1989, in which it recognized climate change as a common concern of mankind,

"Recalling also its resolutions 45/212 of 21 December 1990, by which it established an Intergovernmental Negotiating Committee to prepare an effective framework convention on climate change, and any related legal instruments as might be agreed upon, for signature during the United Nations Conference on Environment and Development, and 46/169 of 19 December 1991, by which it provided for the continuation of work on climate change until the end of 1992,

"Taking note with appreciation of the reports of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on its work thus far in 1992 4/ and the report prepared by the Chairman of the Intergovernmental Negotiating Committee for a

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4/ A/AC.237/18 (Part I) and A/AC.237/18 (Part II) and Add.1.

Framework Convention on Climate Change, on behalf of the Committee, for submission to the United Nations Conference on Environment and Development, 5/

"Noting resolution 15 (EC-XLIV), adopted by the Executive Council of the World Meteorological Organization at its forty-fourth session,

"Noting that, in accordance with paragraph 4 of its resolution 46/169 and pursuant to resolution INC/1992/1 adopted by the Intergovernmental Negotiating Committee on 9 May 1992, arrangements are being made for the sixth session of the Intergovernmental Negotiating Committee to be held as soon as practicable, preferably before the end of 1992,

"Noting also that the sixth session of the Intergovernmental Negotiating Committee will be held at Geneva from 7 to 10 December 1992,

"Noting further the interim arrangements contained in article 21 of the United Nations Framework Convention on Climate Change, including the provision that the secretariat established by the General Assembly in resolution 45/212 should be the interim secretariat of the Convention until the completion of the first session of the Conference of the Parties to the Convention,

"Noting with appreciation the support provided for the operation of the secretariat during 1992 by the United Nations Conference on Trade and Development, the United Nations Development Programme, the United Nations Environment Programme and the World Meteorological Organization, as well as by bilateral contributors,

"Having considered the report of the Secretary-General, 6/ with particular reference to the possible requirements for intergovernmental and secretariat work on the implementation of the Convention in the period up to and including the first session of the Conference of the Parties to the Convention,

"1. Welcomes the adoption, on 9 May 1992, of the United Nations Framework Convention on Climate Change by the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change and its signing by a large number of States;

"2. Considers the Convention one of the achievements of the international community working through the United Nations and a first step in a cooperative response to the common concern for the change in the Earth's climate and its adverse effects;

5/ A/CONF.151/8.

6/ A/47/466.

"3. Calls upon States that have not done so to sign or accede to the Convention, as appropriate, and all Signatories that have not yet done so to ratify, accept, or approve it, so that it may enter into force;

"4. Invites signatories of the Convention to communicate to the head of the interim secretariat of the Convention, as soon as feasible, information regarding measures consistent with the provisions of the Convention, pending its entry into force;

"5. Urges States to support and contribute to the activities at the national, subregional, regional and international levels related to the basic scientific and technical needs specified in the Convention, including those activities carried out under the World Climate Programme and the Global Climate Observing System;

"6. Decides that the Intergovernmental Negotiating Committee shall continue to function in order to prepare for the first session of the Conference of the Parties to the Convention, as specified in the Convention, and, in that context, to contribute to the effective operation of the interim arrangements set out in article 21 of the Convention;

"7. Invites the Committee, in this regard, to draw up an adequate plan of preparatory work at its sixth session and to implement it expeditiously thereafter, and requests the Secretary-General to make arrangements within the overall calendar of conferences for the Committee to hold sessions, in accordance with the needs of that plan;

"8. Requests the Intergovernmental Negotiating Committee to promote a coherent and coordinated programme of activities by competent bodies aimed at supporting the entry into force and effective implementation of the Convention and strengthening the capacities of developing and all other countries to prepare for their participation in the Convention;

"9. Calls upon the organs, organizations and bodies of the United Nations system involved in work relating to climate change, including the interim secretariat of the Convention, to initiate and strengthen such activities, where possible in collaboration with each other, and invites them to make information on these activities and on any coordination arrangements regularly available to the Intergovernmental Negotiating Committee, through its secretariat;

"10. Invites the Intergovernmental Negotiating Committee to convey information on its work to the General Assembly, as well as to the Economic and Social Council and the Commission on Sustainable Development, as appropriate, in particular in the context of chapter 9 of Agenda 21;

"11. Requests the Secretary-General to strengthen the secretariat established by the General Assembly in resolution 45/212 so that it may function as the interim secretariat of the Convention until the completion of the first session of the Conference of the Parties and, in that capacity, provide adequate support to the evolving work of the Intergovernmental Negotiating Committee, and further requests him to make provisions for this purpose within the current and forthcoming programme budgets;

"12. Invites the United Nations Environment Programme, the World Meteorological Organization and other United Nations bodies with relevant expertise to continue to cooperate closely with, and to contribute staff to assist, the head of the interim secretariat;

"13. Requests bilateral sources to continue to assist the interim secretariat as hitherto;

"14. Requests the head of the interim secretariat to maximize opportunities for collaborative work with other secretariat entities, including the secretariat of the Commission on Sustainable Development;

"15. Requests the Secretary-General to maintain the special voluntary fund established under paragraph 10 of General Assembly resolution 45/212 to support the participation of developing countries, in particular the least developed among them, as well as small island developing countries, in the work of the Intergovernmental Negotiating Committee and in the first session of the Conference of the Parties to the Convention;

"16. Also requests the Secretary-General to maintain the trust fund established under paragraph 20 of General Assembly resolution 45/212 to contribute to the costs of the interim secretariat of the Convention;

"17. Takes note with appreciation of the contributions made to these extrabudgetary funds and invites further adequate and timely contributions to both funds;

"18. Decides that the costs of the work of the Committee and the interim secretariat should be funded within the current and forthcoming programme budgets, without adversely affecting the programmed activities of the United Nations, in accordance with the relevant provisions of General Assembly resolutions 40/243 of 18 December 1985, 41/213 of 19 December 1986 and 42/211 of 21 December 1987, and through voluntary contributions to the trust fund, as appropriate;

"19. Welcomes the invitation by the Government of Germany to host the first session of the Conference of the Parties;

"20. Invites the Chairman of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change to submit a final

report to the General Assembly on behalf of the Committee on the completion of the Committee's work, following the conclusion of the first session of the Conference of the Parties to the Convention;

"21. Requests the Secretary-General to report to the General Assembly at its forty-ninth session on the implementation of the present resolution;

"22. Decides to include in the provisional agenda of its forty-ninth session the item entitled 'Protection of global climate for present and future generations'."

7. In introducing the draft resolution, the Vice-Chairman orally revised it as follows:

(a) In the fifth preambular paragraph, the words "are being" were replaced by the words "have been", and the words "to be held as soon as practicable, preferably before the end of 1992" at the end of the paragraph were deleted;

(b) In the sixth preambular paragraph, the words "will be" were replaced by the word "was";

(c) In operative paragraph 8, the words "and strengthening" were replaced by the word "including".

(d) Operative paragraph 18 was revised to read:

"Decides that, subject to the relevant provisions of General Assembly resolutions 40/243 of 18 December 1985, 41/213 of 19 December 1986 and 42/211 of 21 December 1987, the costs of the work of the Committee and the interim secretariat should be funded within the current and forthcoming programme budgets, without adversely affecting the programmed activities of the United Nations, and through voluntary contributions to the trust fund, as appropriate".

8. The Committee had before it a statement of the programme budget implications of draft resolution A/C.2/47/L.58, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.2/47/L.83).

9. The representative of Pakistan made a statement in which she further amended the draft resolution by inserting: in operative paragraph 15, after the words "participation of developing countries", the phrase "bearing in mind decision 1/2 of the Intergovernmental Negotiating Committee, inter alia, and".

10. Following statements by the Chairman and the representatives of Antigua and Barbuda, Benin, Canada, Mauritania, Morocco, Singapore, Tunisia, the United Kingdom of Great Britain and Northern Ireland (on behalf of the States Members of the United Nations that are members of the European Community), the

United States of America, Uruguay and Venezuela, the Committee decided to take no action on draft resolution A/C.2/47/L.58. The Chairman informed the Committee that he would submit directly to the General Assembly in plenary meeting, in the name of his delegation, a draft resolution based on draft resolution A/C.2/47/L.58, with the following further amendments:

(a) In the fifth preambular paragraph, the words "have been" would be replaced by the word "were";

(b) In operative paragraph 7, the phrase "Invites the Committee, in this regard, to draw up an adequate plan of preparatory work at its sixth session and to implement it expeditiously thereafter" would be replaced by the phrase "Invites the Committee, in this regard, to implement expeditiously the plan of preparatory work drawn up at its sixth session".

11. In view of the course of action proposed by the Chairman concerning draft resolution A/C.2/47/L.58, draft resolution A/C.2/47/L.38/Rev.1 was withdrawn by its sponsor.